

(Ireland.)

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To facilitate the Employment of the Labouring Poor for
a limited Period in distressed Districts in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted
in the Committee.]

WHEREAS by reason of an apprehended failure of a portion of the Potato Crop of the present season in Ireland, it is expedient to make provision for facilitating and encouraging the Employment of the Poor in Districts where Distress may prevail;

Preamble.

- BE it therefore Enacted, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and the Authority of the same, THAT whenever, on representation of the existence of distress in any district, it may seem expedient to the Lord Lieutenant or other Chief Governor or Governors of Ireland, that an Extraordinary Presentment Sessions for any barony, half barony, county of a city or county of a town in Ireland, the county of the city of Dublin excepted, should assemble and make Presentments for the execution of public works in such district, it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of Ireland, from time to time, by a notice to be published in the Dublin Gazette, and also in One or more newspapers circulating in the respective district, and of which notice copies shall be posted in the usual places for posting public Grand Jury notices in such district, to direct and require that an Extraordinary Presentment Sessions for such barony, baronies, half barony, half baronies, county of a city or county of a town, as the case may be, shall meet and assemble at such place or places in such district for the

1.
Extraordinary Presentment Sessions may be assembled by the Lord Lieutenant for the presentment of Works under this Act.

Justices to hold Sessions for the purposes of this Act at the times and places appointed.

purposes of this Act, on such day or days and hours as shall be specified in such notice, not being sooner than *Ten* nor later than *Fifteen* Days after the publication of such notice in the Gazette as aforesaid; and it shall and may be lawful for every Justice of the Peace for the county, county of a city, or county of a town respectively, not being a Stipendiary Magistrate, to attend, and such Justices respectively, and the Cess-payers associated with them respectively, as hereinafter mentioned, are hereby required to assemble and to hold such Extraordinary Presentment Sessions respectively, for the purposes of this Act, in such place or places, and at such time or times, as shall have been so appointed.

2.
How Sessions are to be constituted.

And be it Enacted, That the Justices or Justice present at every such Extraordinary Presentment Sessions, together with the number of the Cess-payers appointed by the Grand Jury at the then preceding Assizes of the county, county of a city or county of a town in which such Sessions shall be held, to be associated with the Justices at the ordinary Presentment Sessions to be holden next after such Assizes, for the purposes of an Act passed in the sixth and seventh year of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland," for the barony or half barony, or the county of a city or county of a town, as the case may be, for which such Extraordinary Presentment Sessions shall be holden, shall constitute such extraordinary Presentment Sessions; and the provisions contained in the said recited Act of the sixth and seventh years of the reign of King WILLIAM the Fourth, relative to the selection of a Chairman and of the Cess-payers to be associated with the Justices or Justice at Presentment Sessions, and to the casting voice of such Chairman, shall, so far as the same are applicable, extend to such Extraordinary Presentment Sessions under this Act, and the Secretary of the Grand Jury and the County Surveyor or Surveyors shall attend therat; and also an officer or person appointed by the Commissioners of Public Works in Ireland, if the said Lord Lieutenant or other Chief Governor or Governors shall so think fit to direct.

3.
Such Sessions may make Presentments for works.

And be it Enacted, That any such Extraordinary Presentment Sessions are hereby authorized and required to make presentments for such public works within the district for which such Sessions shall be held as they may think fit, specifying in all such presentments the maximum amount which shall be raised for the execution of any such work, and the said Extraordinary Presentment Sessions shall sit from day to day until all the business which may come before them of the nature hereby described be despatched, or may adjourn for any period not exceeding

Three

Three Days; and every such presentment so made by such Sessions shall be as valid and effectual for the purposes of this Act as if the same had been duly presented by the Grand Jury, and filed by the Court at any Assizes or presenting term.

- 5 And be it Enacted, That the Chairman at such Sessions shall cause to be made out and shall sign with his name a schedule of all works which shall have been duly approved and presented at such Sessions respectively, and shall deposit such schedule with the Secretary of the Grand Jury of such county, county of a city or county of a town, who within Three Days shall transmit to the Lord Lieutenant, or other Chief Governor or Governors of Ireland a copy, signed by himself, and verified by his declaration before a Justice of the Peace, of such schedule of works so presented at such Presentment Sessions, and it shall be lawful for the said Lord Lieutenant, or other Chief Governor or Governors, if he or they shall so think fit, to cause the same or copies thereof respectively to be reported upon by the Commissioners of Public Works, and to be afterwards transmitted to the Commissioners of Her Majesty's Treasury for their sanction and approval.

4.
A Schedule of Works presented shall be signed and transmitted to Lord Lieutenant for his sanction, and the approval of the Treasury.

- And be it Enacted, That it shall be lawful for the said Commissioners of Her Majesty's Treasury from time to time, to authorize the Commissioners of Public Works in Ireland to execute the said works so presented and specified in any such schedule of works, or such of the said works, or such part of them, as the said Commissioners of the Treasury shall think fit, at and for the amount so presented for each such work respectively, or proportionate part of it; and it shall be lawful for the said Commissioners of the Treasury to advance and place at the disposal of the said Commissioners of Public Works the several and respective sums of money so presented for each and every such work, or proportionate part of it, so authorized to be by them executed, to be by the said Commissioners of Public Works applied and expended respectively to and for and in the execution of the said several and respective works so to be executed by them, and to be accounted for to the said Commissioners of the Treasury.

5.
The Lords of the Treasury may make Advances for such Works to the Board of Works, and authorize the Board of Works to execute them.

- And be it Enacted, That the said Commissioners of Public Works shall, upon the receipt of any such warrant of the said Commissioners of the Treasury, cause the execution or construction of any such respective works therein authorized to be proceeded with, subject nevertheless to such directions as they may from time to time receive from the said Lord Lieutenant or other Chief Governor or Governors of Ireland, and shall for such purpose have and use all such powers and authorities as they are by any of the Acts now in force for the extension and promotion of Public Works in Ireland invested with for the construction of any road or bridge or other work for the construction

6.
The Board of Works shall proceed to execute such Works as are authorized to be executed by them.

tion whereof a grant shall have been sanctioned by the said Commissioners of the Treasury, and also all rights, powers, authorities and privileges of any County Surveyor or Contractor acting under and by virtue of the said Act passed in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland."

7.
County Surveyors to assist in such Works, as directed by the Lord Lieutenant or Commissioners of Public Works.

And be it Enacted, That the several County Surveyors in Ireland, and their Assistants, do and shall, from and after the passing of this Act, in addition to all their other duties, obey, perform and execute, either alone or conjointly with or subject to the direction of any other person or persons to be appointed for that purpose by the said Commissioners of Public Works, all such orders and directions as the Commissioners of Public Works shall from time to time issue and transmit to them, or any of them, respecting the planning, laying out, superintending or overseeing any such work or works within their respective Counties, as shall be specified in and by such orders or directions, or the disbursing any such sum or sums of money which shall be placed at his or their disposal for that purpose, and cause to be expended on such works so presented, any sums not exceeding the respective sums presented for the same respectively, and for such purposes shall have power, subject to such directions as aforesaid, to employ sufficient workmen, either at reasonable wages, or by task-work, and also an overseer for each such work, if he shall deem such overseer to be necessary, at reasonable wages, sanctioned by the said Commissioners of Public Works, and shall account to the said Commissioners of Public Works for the execution of such respective works, and for the expenditure thereon, and for the sums advanced to him for such works; and all and every the powers and authorities or provisions given or contained in the Acts for consolidating and amending the laws relating to the presentment of Public Money by Grand Juries in Ireland with reference to the execution of works thereunder, shall, as far as the same are applicable, extend and apply to the executing of such works as aforesaid by the County Surveyor or his assistants; and any such County Surveyor or Surveyors or assistants (in addition to his or their usual salary), shall, in consideration of such employment for the purposes of this Act, receive such further remuneration as the said Lord Lieutenant or other Chief Governor or Governors shall deem fit and sufficient.

8.
Advances from Treasury to be repaid by compulsory Presentment by Instalments.

And be it Enacted, That the monies from time to time to be advanced pursuant to the provisions of this Act, by the Commissioners of Her Majesty's Treasury, for the execution of any works under this Act, in any county, county of a city, or county of a town, shall be repaid by Grand Jury Presentments, by half-yearly instalments, not less than Four and

- and not exceeding *Twenty* in number, as the Commissioners of Her Majesty's Treasury shall direct, with interest at the rate of *Three Pounds Ten Shillings* per centum per annum; and the Commissioners of Public Works shall from time to time certify to the Secretary of the Grand Jury of each such county, county of a city, or county of a town, in which respectively such works shall have been executed, the amount of the instalment or instalments so to be repaid; and each such Secretary of the Grand Jury shall lay such certificate before the Grand Jury of such county, county of a city, or county of a town, at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury, and they are hereby required to present the sum mentioned in every such certificate relating to such county, county of a city or county of a town, to be raised and levied in the manner hereinafter mentioned off the respective baronies or half baronies, county of a city or county of a town in respect whereof the works for which any such monies shall be so advanced by the said Commissioners shall have been presented; and the Treasurer of such county, county of a city, or county of a town, shall pay the sum so presented by the Grand Jury, when and as by him received, into the Bank of Ireland, to the credit of the Paymaster of Civil Services, on account of Loans under this Act, or in such other manner as the said Commissioners of the Treasury shall direct: Provided always, That such Treasurer shall issue a separate warrant for the levy of the sum mentioned in any such certificate; and if the Grand Jury of any county, county of a city, or county of a town, shall fail to present the sum, or any part thereof, contained in any such certificate, relating to such county, county of a city, or county of a town, the Treasurer of such county, county of a city, or county of a town, shall and he is hereby required to insert such sum, or such omitted part thereof, in such separate warrant for raising such monies as if such sum had been duly presented by such Grand Jury, to be raised in manner hereinafter-mentioned off the respective baronies or half-baronies properly chargeable therewith as aforesaid, or county of a city, or county of a town (as the case may be), and the same shall be raised and levied off such barony or half barony, county of a city, or county of a town (as the case may be) accordingly, as if the same had been so presented; and the said Treasurer shall pay over the amount when by him received as hereinbefore provided in the case of such money being presented by the Grand Jury.
- And he it Enacted, That any sum of money so to be raised and levied off any barony, half barony, county of a city or county of a town under the provisions of this Act, shall be charged upon, and apportioned, raised and levied upon and from the occupiers of, and other persons rateable in respect of lands and hereditaments within such

In case the Grand Jury fail to present.

9. Such sums to be assessed and levied like the Poor Rate, according to 1 & 2 Vict., c. 38, &c.

barony, half barony, county of a city or county of a town respectively, and rated under the then last preceding rate or rates made, or from time to time made in respect of the same, under the provisions of an Act of the first and second years of Her present Majesty, intituled, "An Act for the more effectual Relief of the Destitute Poor in Ireland," and any Act amending the same, and shall be payable by the respective rate-payers, who under the said last preceding rate or rates shall have paid or contributed or been liable to pay or contribute rate in respect of property in such barony, half barony, county of a city or county of a town, according to the several valuations and proportions according to which respectively such last preceding rate or rates shall have been so made, charged upon, and payable by the rate-payers in respect of such lands or hereditaments respectively; and any such sum of money shall be assessed and levied by the respective Collector of Grand Jury Cess for such barony, half barony or place, as a poundage assessment equally upon the net annual value of the several lands and hereditaments within such barony, half barony, county of a city or county of a town respectively, rated as aforesaid, as such net annual value shall have been stated in such last preceding rate or valuation as aforesaid; and on receipt of the respective County Treasurer's warrant as aforesaid, such Collector is hereby authorized and required to levy the money therein mentioned; and such money shall and may be collected and levied, sued for and recovered, by such and the same ways and means as any Grand Jury Cess, or the money apportioned on the several persons liable to pay any Grand Jury Cess, may be collected and levied, and with like powers, authorities and privileges to any such Collector, as in case of the levying of any Grand Jury Cess.

1 & 2 Vict.,
c. 56, s. 73.

10.
Copies of
Rate may be
taken for
purpose of
this Act.

And be it Enacted, That for the purpose of ascertaining the rateable property and the rate-payers within any such barony, half barony, county of a city, or county of a town as aforesaid, it shall and may be lawful for the respective Collector of Grand Jury Cess to apply to the guardians of the union or respective unions within which such respective lands shall be situate; and such respective guardians are hereby required to permit and suffer such Collector, or any person authorized by him, to take a copy or copies of so much of any such last preceding rate or rates or valuation as aforesaid as relates to any of such respective lands or hereditaments within any such district; and in case any person or persons having the custody of any such rate or rates or valuation refuse to permit, or shall not permit, such Collector or person so authorized by him to take such copy or copies thereof or extracts therefrom respectively as aforesaid, the person or persons refusing or not permitting such copy or extract to be made shall for each and every such offence forfeit and pay any sum not exceeding *Five Pounds*.

1 & 2 Vict.,
c. 56, s. 70.

And

And be it Enacted, That when any person occupying such lands or hereditaments within any such district shall be liable to pay a rent in respect of the same, he may deduct from such rent, for each pound of the rent which he shall be liable so to pay, *One-half* of the sum which he shall have paid as such assessment in respect of each pound of the net annual value (whether such rent shall be greater or less than such net annual value), and so in proportion for any less sum than a pound.

11.
Proportion of
Assessment
to be deducted
from Rent.
1 & 2 Vict.,
c. 36, s. 74.

And be it Enacted, That where any person receiving rent in respect of any such rateable property within such district shall also pay a rent in respect of the same, he shall be entitled to deduct from the rent so paid by him a sum bearing such a proportion to the amount of such assessment deducted from the rent received by him as the rent paid by him bears to the rent received by him: Provided always, That every lessor assessed instead of any occupier of rateable property shall be entitled to deduct from any rent paid by him in respect of such property a sum bearing such a proportion to *One-half* of the assessment on such property as the rent paid by him bears to the net annual value of such property.

12.
Where more
than one
Rent is paid.
1 & 2 Vict.,
c. 35, s. 75.

And be it Enacted, That the Grand Jury of any county, county of a city, or county of a town in which any such Extraordinary Presentment Sessions shall be held as aforesaid, shall, without application to the Presentment Sessions present, to be levied off the county at large, county of a city, or county of a town, to be paid to any such Secretary of the Grand Jury of the same such sums of money as shall be actually expended or incurred by him for expenses out of pocket in or in respect of attendance at any such Extraordinary Presentment Sessions; and shall likewise present to be paid to any such Collector as aforesaid such remuneration for the collection of such assessment as is payable in the case of the collection of Grand Jury Cess, and such further sum as he may have reasonably incurred for the expense of obtaining copies of any such rate or valuation, or making such applotment as aforesaid.

13.
Expenses of
Secretary of
Grand Jury
in attending
Sessions, and
remuneration
to Collector to
be presented
by Grand
Jury.

And be it Enacted, That when any Public Work shall be presented or executed under the provisions of this Act, it shall be lawful for any occupier or owner of any ground taken and occupied for the purpose of such Work to demand and obtain from the officer of the said Commissioners of Public Works or the County Surveyor, as the case may be, by whom such Work shall have been or shall be executed, a certificate under his hand, which such officer or Surveyor is hereby required to give, stating the quantity of ground belonging to such occupier or owner which shall have been so taken and occupied for the purpose of such Work, and an estimate of the average annual value

14.
When any
ground shall
be taken for
Works under
this Act,
Owners, &c.,
of land taken
to obtain
from the
Board of
Works or
County Sur-
veyor a
certificate of
the value, &c.
of the same,
upon pro-
duction of
which Grand

Jury to present a sum of money for damage sustained.

In case Owner, &c., shall not make application to Grand Jury, he may apply to the Assizes, and traverse for damages.

value of such ground, the tenure of such occupier or owner thereof, and an estimate of the total damage sustained by him or either of them by the taking and occupying of such ground for the purpose of such Work; and upon giving or tendering such certificate it shall be lawful for such officer or Surveyor as aforesaid to proceed in the execution of such Work without the interruption of any person; and it shall be lawful for any such owner or occupier, or either or each of them, giving *Ten Days'* previous notice to the Secretary of the Grand Jury, to make application to the Grand Jury at the Assizes next following the giving of such certificate, or the next subsequent Assizes, for the amount of damages specified in such certificate, whereupon it shall be lawful for the Grand Jury to present, without previous application to Presentment Sessions, such sum or sums of money, for the use of such owner or occupier, or each of them, as the case may be, in respect of the damage sustained by him, as they, upon inspection of such certificate, shall deem reasonable to be raised off the barony or half barony in which such ground shall be situated, and to such presentment no traverse shall be allowed or received; but in case such owner or occupier shall not think fit to make such application to the Grand Jury, it shall be lawful for him, at the Assizes next following the giving of the said certificate, or at the next subsequent Assizes, upon giving *Ten Days'* notice, previously to such Assizes, to the Secretary of the Grand Jury, of the amount of damages intended to be claimed, to have a traverse for damages entered in the Crown Book in respect of such damage sustained by him; and thereupon such traverse shall be tried in like manner, and like proceedings shall be had, and like presentment made in respect of the same, and subject to like provisions, as far as the same can be applied, as in the case of traverses entered for damages under the Acts for consolidating and amending the laws relating to the presentment of Public Monies by Grand Juries in Ireland.

15.
*Interpretation-
Clause.*

And be it Enacted, That in the construction of this Act, as regards the county of Dublin, the word "Treasurer" shall include the "Finance Committee;" and the word "Assizes" shall include the "Presenting Term."

16.
No Presentment Sessions under this Act to be held after the 16th day of August 1847.

And be it Enacted, That no Presentment Sessions shall be holden, nor shall any such Work as aforesaid be commenced, under the provisions of this Act, after the *Fifteenth day of August One thousand eight hundred and Forty-seven.*

17.
Act may be amended, &c. this Session.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.